

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSHUA J. BELOW, DEBRA BELOW,
CHARLIE ELIZABETH BELOW, PATRICK
JOSHUA BELOW, STAR BLUE BELOW-KOPP
and DEAN HEALTH PLAN, INC.,

Plaintiffs,

ORDER

15-cv-529-wmc

v.

YOKOHAMA TIRE CORPORATION, YOKOHAMA CORPORATION OF AMERICA, YOKOHAMA CORPORATION OF NORTH AMERICA, YOKOHAMA TIRE MANUFACTURING VIRGINIA, LLC, and YOKOHAMA RUBBER COMPANY, LTD.,

Defendants.

The court rules as follows on the objections to deposition designations.

Thomas Kenny

Plaintiff's Designations	Defendants' Objections	Court Ruling
32:12-32:25	32:12-14, 32:16, 32:18-20 32:22-23 FRE 402-302, Relevance, Misleading, Confusing to jury	OVERRULED RESERVED
34:14-35:8	34:14-16, 34:18, 34:20, 34:22, 34:24-25 FRE 402-302, Relevance, Misleading, Confusing to jury	SUSTAINED, and lines 35:2-8 are STRUCK
36:16-39:4 39:9-15	36:16-19, 37:3, 37:21-23, 37:25- 38:2, 38:7-11, 38:15-17, 38:20-21 38:23-25, 39:9-11 FRE 402-302, Relevance, Misleading, Lack of foundation	OVERRULED
41:21-42:10	41:21-25, 42:4-7 FRE 402-302, Relevance, Misleading, Lack of foundation	Designation withdrawn
42:16-42:19	FRE 402-302, Relevance,	Objections withdrawn

Plaintiff's Designations	Defendants' Objections	Court Ruling
	Misleading, Lack of foundation	
43:12-20	43:12-16, 43:18-19 FRE 402-302, Relevance, Misleading, Lack of foundation	Objections withdrawn
48:14-19	48:14-17 FRE 402-302. Relevance, Vague, Misleading, Lack of foundation	OVERRULED
50:3-13	50:3-4, 50:6-7, 50:9-10 50:12 FRE 402-302, Relevance, Misleading, Lack of foundation	Objections withdrawn
57:17-58:17	57:17-20 FRE 402-302, Relevance, Confusion, Lack of foundation, Speculation	OVERRULED
60:10-61:14	60:10 61:1-4 FRE 402-302, Relevance, Lack of foundation, Nonsensical	SUSTAINED, and lines 61:6-9 are STRUCK
94:8-97:24	94:8-12, 94:13-16, 95:6-7, 96:1-4, 97:8-9 FRE 402-302, Relevance, Argumentative	RESERVED
105:22-106:7	105:22-25 FRE 402-302, Misleading, Argumentative, Vague, Ambiguous	RESERVED
132:13-133:7	132:10-12; 132:13-14, 132:23-24, 133:1-3 FRE 402-302, Relevance, Argumentative, Speculation, Incomplete Hypothetical, Nonsensical question	SUSTAINED
140:5-18	140:5-6, 140:7-12 FRE 402-302, Lack of foundation, Argumentative, Assumes facts not in evidence	OVERRULED
153:23-154:2	153:23-25 FRE 402-302, Relevance, Confusing, Nonsensical question	Designation withdrawn

Chris Haefner

Plaintiff's Designations	Defendants' Objections	Court Ruling
13:10-12	Relevance, Lack of foundation, Speculation, etc.	SUSTAINED

Plaintiff's Designations	Defendants' Objections	Court Ruling
13:20	Relevance, Lack of foundation, Speculation, etc	SUSTAINED
32:14-23	, Speculation	OVERRULED
33:2	FRE 402-302, Speculation	OVERRULED
33:5-6	Relevance, Lack of foundation, Speculation	OVERRULED
33:8-10	FRE 402-302, Relevance, Lack of foundation, Speculation	SUSTAINED

Chris Jessen

Plaintiff's Designations	Defendants' Objections	Court Ruling
16:9-13	Leading, Legal conclusion, Speculation, Lack of foundation	SUSTAINED

Vince Brandtner

Plaintiff's Designations	Defendants' Objections	Court Ruling
25:15-20	FRE 402-302, Relevance, Prejudicial, Misleading	OVERRULED
31:13-32:3	31:13-16 31:21-24 Speculation, Misstates evidence, FRE 402-403, Relevance	SUSTAINED OVERRULED
33:16-35:16	33:16-18	OVERRULED

Entered this 3rd day of March, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge